

TOWN OF AMENIA
Public Hearing and Regular Board Meeting
Thursday, March 19, 2009
Amenia Town Hall

Supervisor Euvrard called **Regular Board Meeting** to order at 7:00 pm.

Salute to the flag was conducted.

Moment of Silence for brave troops serving world-wide.

Emergency Exits at right of town board meeting table and at rear of meeting room.

PRESENT:	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

PUBLIC HEARING CONTINUATION
PROPOSED LOCAL LAW NO. 1 OF 2009 AMENDING CHAPTER 105 OF THE CODE OF
THE TOWN OF AMENIA "SUBDIVISION OF LAND" BY REPEALING THE EXISTING
CHAPTER 105 AND REPLACING IT WITH A NEW CHAPTER 105.

Supervisor Euvrard opened **CONTINUATION** of **Public Hearing** from February 19, 2009.

PUBLIC COMMENT

Bill Flood, Planning Board Chairman, reported that Public Hearing on proposed Local Law No.1/2009 was held on February 5, 2009. Any changes have been submitted to Michael Hayes, Town Attorney.

MOTION by Supervisor Euvrard, SECOND by Councilman Pelkey to CLOSE Public Hearing at 7:05pm.

ROLL:	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

Michael Hayes, Town Attorney, submitted two (2) corrections, as recommended by the **Planning Board**. Recommended by Town Attorney to adopt resolution and pass Local Law No.1.

Supervisor Euvrard called Regular Board Meeting to order at 7:10 pm.

PUBLIC COMMENT

Robert Boyles commented on repairs needed at Wassaic Ball Park. Councilman Pelkey acknowledged that repairs would be made with assistance from Shawn Howard.

Mr. Boyles provided town board with insurance update, as requested by Supervisor Euvrard, regarding (\$3,000) discrepancy in 2009 Wassaic Fire District budget.

Mr. Boyles suggested that cost analysis be done for AES acquisition.

Myrnie Hoazl submitted an anonymous letter received that addressed an illegal junk yard on Powder House Road. Issue will be referred by town board to Nancy Brusie, Zoning Administrator.

Cheryl and Rebekah Morse revisited the issue of slum landlord at 3322 Route 343 in Amenia. Fire code violations exist in the building. Ms. Morse stated that Mr. Palmieri, landlord, and Michael Segelken, Town Building Inspector, have not complied. Ms. Morse requested meeting with Supervisor Euvrard and Town Attorney.

Pat Nelligan submitted written document to town board and town attorney for review: Request for Legislative Action: Workforce Housing Alternatives, Per Chapter 121, Article VII, Section 121-42N. Supervisor Euvrard acknowledged receipt of document.

Arlene Iuliano suggested that town board follow legal steps in obtaining AES, per town law.

DEPARTMENT REPORTS

Highway

Stanley Whitehead stated that Highway Department has surplus equipment that could be auctioned.

EQUIPMENT AUCTION

MOTION by Supervisor Euvrard, SECOND by Councilwoman Perotti, to AUTHORIZE Stanley Whitehead, Highway Superintendent, to **auction** highway department surplus equipment and tires located at Amenia Transfer station at Flood's Auction on March 28, 2009.

ROLL:	Councilman Pelkey	Aye
	Councilwoman Doyle	Aye
	Councilman Cayea	Aye
	Councilwoman Perotti	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

ARC Adoption of Randall Road Amenia

Update on ARC proposal to adopt Randall Road. Supervisor Euvrard announced that adoption would not be legal. Confirmed by Town Attorney.

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES

Between the Town Superintendent and the Town of Amenia, Dutchess County, New York, and the undersigned members of the town board for general repairs and permanent improvements on highways; executed by signatures in duplicate on the 19th day of March 2009.

Grants

Mike Hagerty reported stimulus and state grant availability to be announced in June 2009.

Dance Program

MOTION by Councilwoman Doyle, SECOND by Councilwoman Perotti, to support a grant request in the amount of \$3,000 for the Amenia Dance Program from the Berkshire Taconic Community Foundation.

ROLL:	Councilman Pelkey	Aye
	Councilman Cayea	Aye
	Councilwoman Perotti	Aye
	Councilwoman Doyle	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

Recreation Commission

Tom Werner, Chairman, welcomed volunteers to assist in Easter egg stuffing on April 2nd at 5pm in the Town Hall. Easter Egg Hunt on April 4th at Amenia Fish & Game Assoc.

MOTION by Supervisor Euvrard, SECOND by Councilman Cayea, to hire **Shawn Howard** as **Maintenance Mechanic** at \$17.50 per hour, 20 hours per week.

ROLL:	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	No
	Supervisor Euvrard	Aye

MOTION CARRIED 4 – Ayes 1 – No

Recreation Commission vacancies

Volunteer applications are being accepted until March 30th for two vacant positions. Interviews will be scheduled in early April 2009.

Industrial/Commercial Incentive Board

Incentive Board members are reviewing draft plan. If town board agrees with plan, as written, without any revisions, (zoning & sector eligibility) then a Local Law **could** be adopted, as advised by Michael Hayes, Town Attorney.

AES Task Force Committee

Supervisor Euvrard announced the following volunteer members: Ken Hale, Bob Meade, Leo Blackman, Gary Bonds, Brad Rebillard. Meeting will be scheduled for next month to review costs. Cost analysis comparison for review: Town Hall at 8,000 sq ft: \$50,000, (includes rent at \$30,388); AES at 25,000 sq ft: \$80,402. Councilman Cayea requested that Town Attorney research **Shared Space Law** to permit tenants.

Wastewater Committee

Darlene Reimer, Chair, stated that after reviewing components of draft plan; \$10 million dollar cost figure is not affordable. Funding would make plan affordable. Further review required.

Wassaic Fire District

Supervisor Euvrard stated that estimated budget figure received from Wassaic Fire District at \$192,625 was used in figuring tax. Paperwork from insurance company for worker's compensation increase was submitted last week to the town board (\$3,000). Michael Hayes, Town Attorney, stated that NYS Comptroller's office has advised that when Fire District budgets are approved through the town's budget process, the town board does not have the authority to provide additional monies to that entity.

Harlem Valley Rail Trail Extension Survey

MOTION by Councilwoman Doyle, SECOND by Councilman Cayea, to AUTHORIZE **Kirk Horton** to perform survey with aerial view for proposed Rail Trail Extension up to the amount of \$3,100. Motion **nullifies** Motion carried unanimously on March 12, 2009 Business Workshop Meeting.

ROLL:	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

Outdoor Wood Burning Stoves

Michael Hayes, Town Attorney, suggested that town board discuss setting standards to extend season. Written changes to be forwarded to Michael Hayes for his review.

Lawn Mowing Bids

MOTION introduced by Councilman Pelkey, SECOND by Supervisor Euvrard, to AUTHORIZE Town Clerk to Advertise Legal Notice for Lawn Mowing Bids in Millerton News on March 26th and April 2nd. Bids to be received by 12 noon on April 9th.

ROLL:	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

TOWN OF AMENIA PROCLAMATION

Councilwoman Perotti introduced the **Tobacco Advertising Point of Purchase Resolution (Proclamation) (A Commitment to – Non-Binding Resolution for – Public Health)**

MOTION by Supervisor Euvrard, SECOND by Councilman Pelkey that was ADOPTED

ROLL:	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilwoman Perotti	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

Passed and Adopted by the Amenia Town Board on this 19th day of March 2009.

SUPERVISOR'S REPORT

MVP health insurance company coverage has been selected for eligible Highway and Town staff, as Empire health insurance cost has increased 25%.

Town of Amenia will receive voucher in the amount of \$8,883 from State Aid: reference Assessment.

National Metering Company has submitted final bill for meter installation. Project was completed under budget.

Michael Hayes, Town Attorney, has advised that Christopher Timm, Water District resident, has exceeded the statute of limitation time period regarding correction to water bill. Resident may submit objection with payment.

Special Election for 20th Congressional District will be held on March 31, 2009.

Supervisor presented priority draft list for long-term expenses:

Highway garage	\$1 Million
Salt Shed	\$350,000 - \$400,000
Buildable Land	
Town Hall – classrooms, storage	
Wastewater District	
Landfill	\$6 Million (25% cost to town @ \$1,500,000)
Rail Trail Extension	\$120,000

Councilwoman Doyle suggested that paving of town roads be projected, as well as the repair of Highway garage roof. Town Board needs long-range plan for improvement projects from Stanley Whitehead, Hwy Supt.

TOWN BOARD COMMENTS

Board Members announced local events.

PUBLIC COMMENTS

Christopher Timm requested justification in writing for denial to correct his water bill.
Supervisor Euvrard offered copy of email.

Arlene Iuliano commented on GIS mapping being sufficient for aerial survey, as opposed to hiring person to perform the same. Supervisor Euvrard stated DOT requirement for this project.

MOTION by Supervisor Euvrard, SECOND by Councilwoman Perotti, to enter **Executive Session** at 9:29 pm to discuss litigation of Article 78 –Amenia K Realty, and personnel matters.

ROLL:	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

MOTION by Supervisor Euvrard, SECOND by Councilwoman Perotti to return to **Regular Meeting** at 9:58 pm with Motion carried unanimously.

MOTION by Supervisor Euvrard, SECOND by Councilwoman Perotti to ADJOURN Regular Meeting at 9:59 pm with Motion carried unanimously.

Respectfully submitted:

Maureen Bonds
Amenia Town Clerk

Draft to Town Board: April 6, 2009
Approved by Town Board: April 9, 2009